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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1798 OF 2005
IN
INCOME TAX APPEAL (LOD) NO.792 OF 2005

The Commissioner of Income Tax ..Appellant.

V/s.

M/s.Prabhavee ..Respondent.

Mr.A.S.Rao with P.S.Sahadevan for appellant.

CORAM : F.I.REBELLO AND
J.P.DEVADHAR, JJ.

DATED : 22ND OCTOBER, 2007.

P.C. :-

There is a delay of 151 days in preferring the appeal. There is affidavit in support of the Motion. The cause shown would amount to sufficient cause. We have been condoning the delay upto 200 days. There nothing on record to indicate that the respondent has been served. If the respondent is aggrieved by the order, it is at liberty to apply for the recall of the order. Delay is condoned. Motion is made absolute in terms of prayer clause (a).

Motion disposed of accordingly.

(J.P.DEVADHAR, J.) **(F.I.REBELL0, J.)**